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Attorneys for Secured Creditor,

Nationstar Mortgage LLC

By: Jeanette F. Frankenberg, Esq.

In Re:

Carol L Berry *fka* Carol L Berry-Austin

Debtor(s)

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE

Chapter 13

Case No. 15-28681-JKS

Hearing Date:

OBJECTION TO DEBTOR'S REQUEST FOR EXTENSION OF LOSS MITIGATION PERIOD

PLEASE TAKE NOTICE that **NATIONSTAR MORTGAGE LLC** ("Secured Creditor"), the holder of a mortgage on real property of the debtor(s), by and through its undersigned attorneys, hereby objects to the Extension of Loss Mitigation Period on grounds including:

1. Debtor filed a Notice of Request to participate in the Court's Loss Mitigation program on October 28, 2015 (Docket No. 18). An order granting request was entered on the docket November 14, 2015.
2. Debtor was reviewed for all possible loss mitigation options and does not qualify for a Loan Modification due to excessive forbearances. A copy of the denial letter which was uploaded to the DMM portal on June 22, 2016 is attached hereto as Exhibit 'A'.

WHEREFORE, it is respectfully requested that the Court deny the Debtors' Request for an extension of Loss Mitigation period.

I hereby certify that the foregoing statements are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Stern, Lavinthal & Frankenberg, LLC
Attorneys for the Secured Creditor,
Nationstar Mortgage LLC

/s/ Jeanette F. Frankenberg, Esq.

Jeanette F. Frankenberg, Esq.

Dated: September 12, 2016

Exhibit “A”

June 10, 2016

SCOTT D SHERMAN
33 CLINTON RD STE 105
WEST CALDWELL NJ 07006-6790

Re: Loan Number: [REDACTED]
Case#: 1528681, CAROL L BERRY,
CAROL BERRY
Property Address: 35 LINDEN AVENUE
MONTCLAIR NJ 07042

Dear Scott D Sherman:

This letter is to inform you that we have reviewed your client's request for assistance and are unable to grant their request at this time. The reasons we could not approve your client for assistance are listed below:

Loss Mitigation Options

Your client(s) was evaluated for mortgage payment assistance based on the eligibility requirements of Fannie Mae, the owner/guarantor/trustee of the mortgage loan, but was declined for the following program(s). Please note, as the servicer of your client(s) loan, Nationstar Mortgage LLC is responsible for responding to any questions related to investor requirements or the review of your client(s) request for assistance.

HAMP Tier I - Declined

Denial Reason: Excessive Forbearance

We are unable to offer you a modification because we are unable to create an affordable payment without changing the terms of your loan beyond the requirements of the program.

Standard Modification - Declined

Denial Reason: POST-Modification DTI Outside Acceptable Range

We are unable to offer you a modification because in performing our underwriting of a potential modification your proposed modified monthly payment which we could offer you, which includes a modified monthly principal and interest payment on your first lien mortgage loan plus property taxes, hazard insurance premiums, and homeowners dues (if any) was less than 10% OR more than 55% of your monthly gross income. If you believe this verified income is incorrect, please contact us at the number provided below.

There are other possible alternatives that may be available to your client:

Reinstatement – if your client is currently delinquent in your client's payments, your client may be able to reinstate the loan. Please contact your client's Dedicated Loan Specialist for information on this option.

Deed-in-Lieu – a borrower voluntarily transfers title to and possession of the property to Nationstar to satisfy the mortgage loan debt and avoid foreclosure.

Pre-Foreclosure Sale/Short sale – a property is listed for sale and proceeds of the sale are accepted in exchange for a release of the lien, even if those proceeds are less than the amount owed.

If you or your client have any questions regarding the denial of their request or wish to pursue alternatives, the Dedicated Loan Specialist is Kristi Berry and can be reached at (877) 343-5602 EXT. 6874267, Monday-Friday, 8 a.m. to 7 p.m. (Central Time) and Saturday, 8 a.m. to 12 p.m. (Central Time) or via mail at the below listed mailing address, or email us at customerrelationsofficer@nationstar.com. Visit us on the web at www.MyNationstar.com for further clarification of possible alternatives.

This communication is for informational purposes only and is not intended as an attempt to collect, assess, or recover a claim against, or demand payment from, any individual protected by the U.S. Bankruptcy Code.



Nationstar Mortgage LLC
P.O. Box 619097
Dallas, TX 75261

Your client has the right to appeal non-approval for a modification or to discuss loss mitigation options that may be available to them within 30 calendar days from the date of this notice. The appeal must be in writing and sent to the mailing address below. Please specify the basis for the dispute, and include any documentation you believe is relevant to the appeal, such as property valuation or proof of income.

Nationstar Mortgage LLC
Attn: Customer Relations
P.O. Box 619098
Dallas, TX 75261-9741

Sincerely,

Nationstar Mortgage LLC

Please note the following:

Automated valuation only (electronic, no printed document):

An automated valuation was developed in connection with your client(s) application for loss mitigation. The property valuation provided to us electronically was \$379,000.00. There is no available written documentation associated with this valuation.

Additional Disclosures

If you have questions about the Home Affordable Modification Program other than questions regarding the reason(s) for denial set forth above, you can call the Homeowner's HOPE™ Hotline at 1-888-995-HOPE (4673). This Hotline can help with questions about the program and offers access to free HUD-certified counseling services in English and Spanish.

Notice: The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is: Federal Trade Commission, Equal Credit Opportunity, Washington, DC 20580.



New York Residents: New York City Department of Consumer Affairs License Number: 1392003

If you believe the Loss Mitigation request has been wrongly denied, you may file a complaint with the New York State Department of Financial Services at 1-800-342-3736 or www.dfs.ny.gov.

North Carolina Residents: Nationstar Mortgage LLC is licensed by the North Carolina Commissioner of Banks, Mortgage Lender License L-103450. Nationstar Mortgage LLC is also licensed by the North Carolina Department of Insurance, Permit Number 105369.

If you believe the Loss Mitigation request has been wrongly denied, you may file a complaint with the North Carolina Office of the Commissioner of Banks website www.nccob.gov.

Oregon Residents: There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call 211 or visit www.oregonhomeownersupport.gov. If you need help finding a lawyer, call the Oregon State Bar's Lawyer Referral Service online at www.oregonstatebar.org or by calling (503) 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636. Free legal assistance may be available if you are very low income. For more information and a directory of legal aid programs, go to www.oregonlawhelp.org.

Texas Residents: COMPLAINTS REGARDING THE SERVICING OF YOUR MORTGAGE SHOULD BE SENT TO THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING, 2601 NORTH LAMAR, SUITE 201, AUSTIN, TX 78705. A TOLL-FREE CONSUMER HOTLINE IS AVAILABLE AT 877-276-5550. A complaint form and instructions may be downloaded and printed from the Department's website located at www.sml.texas.gov or obtained from the department upon request by mail at the address above, by telephone at its toll-free consumer hotline listed above, or by email at smlinfo@sml.texas.gov.

Hawaii Residents: If you believe your loss mitigation option request has been wrongly denied, you may file a complaint with the state division of financial institutions at 808-586-2820 or <http://cca.hawaii.gov/dfi/>.

Notices of Error:

If you believe an error has been made with respect to your mortgage loan, you should provide to us in writing the following information: Your name (and the name of the borrower, if you are an authorized third party), the loan account number, and the error you believe has occurred. To submit a notice of error, you must send this information to the following address:

Nationstar Mortgage LLC
Attn: Customer Relations
P. O. Box 619098
Dallas, TX 75261-9741

Requests for Information:

To request information regarding your account, you should provide to us in writing the following information: Your name (and the name of the borrower, if you are an authorized third party), the loan account number, and the information you are requesting with respect to your mortgage loan. To submit a request for information, you must send this information to the following address:

Nationstar Mortgage LLC
Attn: Customer Relations
P. O. Box 619098
Dallas, TX 75261-9741



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:

Case No.: _____

Chapter: _____

Adv. No.: _____

Hearing Date: _____

Judge: _____

CERTIFICATION OF SERVICE

1. I, _____ :

☐ represent _____ in this matter.

☐ am the secretary/paralegal for _____, who represents
_____ in this matter.

☐ am the _____ in this case and am representing myself.

2. On _____, I sent a copy of the following pleadings and/or documents
to the parties listed in the chart below.

3. I certify under penalty of perjury that the above documents were sent using the mode of service
indicated.

Date: _____

Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
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